

Annual 47 C.F.R. § 64.2009(e) CPNI Certification
EB Docket No. 06-36

Annual 64.2009(e) CPNI Certification for 2009

Date filed: January 28, 2010

Name of company covered by this certification: NuVox, Inc.

Form 499 Filer ID: 825434

Names and Titles of signatory: Charles (Jack) Norris, Jr., Chief Operating Officer

Charles (Jack) Norris, Jr., on his own behalf, certifies as follows:

I am an officer of NuVox, Inc. ("NuVox"), and acting as an agent of NuVox and on behalf of all of its wholly-owned carrier affiliates, I certify that I have personal knowledge that NuVox has established operating procedures that are adequate to ensure compliance with the Federal Communications Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how NuVox's procedures ensure the company is in compliance with the requirements set forth in sections 64.2001 *et seq.* of the FCC's rules.

NuVox has not taken any actions (instituted proceedings or filed petitions at either state commissions, courts, or at the FCC) against data brokers in the past year. Consistent with other information in FCC Docket No. 96-115 regarding the processes pretexters are using to attempt to access CPNI, NuVox is aware of an instance of an individual calling a customer service representative and pretending to be an employee of a customer. NuVox has updated its CPNI practices and procedures (summarized in the attached) to better protect customers' CPNI in similar situations. The company also conducts new training designed to ensure compliance with the FCC's CPNI rules. NuVox has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may be subject to enforcement action.



Charles (Jack) Norris, Jr.
Chief Operating Officer
NuVox, Inc.

Date: 1/27/2010

Customer Proprietary Network Information Certification for 2009 Attachment

NuVox has established practices and procedures adequate to ensure compliance with section 222 of the Communications Act of 1934, as amended (“the Act”), and the Federal Communications Commission’s (“FCC”) rules pertaining to customer proprietary network information (“CPNI”) set forth in sections 64.2001 – 64.2011 of the FCC’s rules. This attachment summarizes those practices and procedures, which have been updated so that they are adequate to ensure compliance with the FCC’s CPNI rules, as modified in 2007.

Safeguarding against pretexting and other unauthorized attempts to access CPNI

- NuVox takes reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI, including the use of reasonable network and data security practices, the authentication of customers prior to disclosing CPNI based on customer-initiated contacts. NuVox is committed to notifying the FCC of any novel or new methods of pretexting it discovers and of any actions it takes against pretexters and data brokers.

Training and discipline

- NuVox trains its supervisory and non-supervisory personnel to ensure that its employees, in accordance with FCC regulations: (a) understand what CPNI is, (b) join in and carry out NuVox’s obligation to protect CPNI, (c) understand when they are and when they are not authorized to use or disclose CPNI, (d) obtain customers’ informed consent as required with respect to the use of CPNI for marketing purposes, and (e) keep records regarding receipt of such consent, customer complaints regarding CPNI and the use of CPNI for marketing campaigns.
- NuVox has an express disciplinary process in place for violation of the company’s CPNI practices and procedures. The failure to comply with such practices and procedures may result in disciplinary action, up to and including termination.

NuVox’s use of CPNI

- NuVox uses CPNI in a manner consistent with section 222 of the Act and the FCC’s regulations governing CPNI.
- NuVox may use CPNI for the following purposes:
 - To initiate, render, maintain, repair, bill and collect for services;
 - To protect its property rights, or to protect its subscribers or other carriers from fraudulent, abusive, or the unlawful use of, or subscription to, such services;
 - To provide inbound telemarketing, referral or administrative services to the customer during a customer initiated call and with the customer’s informed consent;
 - To market additional services to customers that are within the same categories of service to which the customer already subscribes;
 - To market services formerly known as adjunct-to-basic services; and
 - To market additional services to customers *with the receipt of informed consent via the use of opt-in or opt-out or one-time opt-in permission, as applicable.*

- NuVox does not disclose or permit access to CPNI to track customers that call competing service providers.
- NuVox discloses and permits access to CPNI where required by law (e.g., under a lawfully issued subpoena).

Customer approval and informed consent

- NuVox has implemented a system to obtain approval and informed consent from its customers prior to the use of CPNI for marketing purposes. This system also allows for the status of a customer's CPNI approval to be clearly established prior to the use of CPNI.
 - Prior to any solicitation for customer approval, NuVox notifies customers of their right to restrict the use of, disclosure of, and access to their CPNI.
 - NuVox uses opt-in approval when using or disclosing CPNI for purposes other than permitted under opt-out approval or in 47 USC § 222 and the FCC's CPNI rules.
 - A customer's approval or disapproval remains in effect until the customer revokes or limits such approval or disapproval.
 - NuVox provides individual notice to customers when soliciting approval to use, disclose, or permit access to CPNI.
 - The content of NuVox's CPNI notices complies with FCC rule 64.2008(c) through (f), as applicable.
 - Records of approvals and notifications are maintained for at least one year.

Opt-out

- NuVox uses opt-out approval for the marketing of communications related services by its employees outside the category of service to which the customer subscribes. When NuVox uses opt-out approval, NuVox provides notification consistent with FCC rule 64.2008(d). NuVox renews these notifications every two years. Additionally, NuVox makes available to every customer an opt-out method, at no additional charge, that is available 24 hours a day, seven days a week.

Opt-in

- NuVox uses opt-in approval for marketing by independent contractors and joint venture partners. NuVox's current policy is that it does not use CPNI to market non-communications related services. When NuVox uses opt-in approval, NuVox provides notification consistent with FCC rule 64.2008(c) and (e).

One time use

- After authentication, NuVox uses oral notice to obtain limited, one-time approval for use of CPNI for the duration of a call. The contents of such notice comports with FCC rule 64.2008(f).

Additional safeguards

- In the event that NuVox uses its customers' CPNI in marketing campaigns, NuVox will maintain a record of such campaigns for at least one year, as set forth in FCC rule 64.2009(c) and establish a supervisory review and record keeping process as set forth in FCC rule 64.2009(d).

- NuVox designates one or more officers, as an agent or agents of the company, to sign and file a CPNI compliance certificate on an annual basis. The certificate conforms to the requirements set forth in FCC rule 64.2009(e). To ensure certification accuracy, among other things, NuVox has implemented procedures to track actions taken against data brokers and customer complaints pertaining to CPNI.
- NuVox will provide written notice to the FCC in accordance with the requirements of FCC rule 64.2009(f) if ever its opt-out mechanisms malfunction in the manner described therein.
- NuVox does not release call detail information during in-bound calls. For telephone inquiries regarding or requiring access to CPNI, NuVox only discloses call detail information by sending it to the customer's address of record, or by calling the customer at the telephone number of record.
- For online customer access to CPNI, NuVox authenticates the customer without the use of readily available biographical or account information. After the customer has been authenticated, NuVox utilizes a customer-established password to authorize account access. NuVox establishes passwords and has employed back-up authentication for lost or forgotten passwords consistent with the requirements of FCC rule 64.2010(e).
- NuVox notifies customers immediately of certain account changes, consistent with the requirements of FCC rule 64.2010(f).
- In the event of a security breach resulting in unauthorized access to, use or disclosure of CPNI, NuVox has practices and procedures in place to notify law enforcement as soon as practicable and no later than seven (7) business days from discovering the breach. Customers will be notified after the seven (7) day period, unless the relevant investigatory party directs NuVox to delay notification, or NuVox and the investigatory party agree to an earlier notification. NuVox will maintain for at least two years a record of all CPNI security breaches, including a description of the breach and the CPNI involved (including date of discovery, if available), a description of the circumstances of the breach, and copies of notifications sent to law enforcement and affected customers.